**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 1732 OF 2006**

1. Ramesh Sopaji Mali,
2. Devaram Magaji Mali. ...Applicants

V/s.

State of Maharashtra. ...Respondent

Shri Shekhar Ingawale for Applicants.
Ms.M.M. Deshmukh, APP for the State.

**CORAM : V.M. KANADE, J.**

**DATED : MAY 3, 2006**

**P.C. :-**

. Heard learned Counsel for the applicants and learned APP for the State.

2. The applicants were arrested in connection with an offence punishable under Sections 395, 397 of the IPC.

3. It is alleged that there was dacoity in the jewellery shop of the complainant. The applicants were arrested by the police on 11th January, 2006. No identification parade has been held by the Investigating Officer. There is no recovery at the instance of the present applicants.

4. I have perused the statements of the witnesses. It appears that the present applicants have dropped the main accused in their vehicle to Jaisingpur. The

chargesheet also has been filed. Under these circumstances, the continued detention of the present applicants is not necessary.

5. The applicants be released on bail in the sum of Rs.5000/- each with one or two sureties in the like amount. The applicants shall report to the concerned police station once in a month.

6. The applicants shall not tamper with the evidence or threaten the witnesses. If any complaint is received by the Investigating Officer, the Public Prosecutor is at liberty to file an application for cancellation of bail.

7. The trial Court shall not be influenced by any observations made by this Court while deciding the application and the same shall not be construed as an expression of opinion on merits of the case.

. The application is disposed of.

**(V.M. Kanade, J.)**